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UNITED STATES MARINE CORPS

MARINE CORPS BASES, JAPAN
CAMP SMEDLEY D. BUTLER, OKINAWA
UNIT 35001
FPO AP 96373-5001
and
III MARINE EXPEDITIONARY FORCE, FMF
UNIT 35801
FPO AP 96806-5801

MARCORBASESJAPANO 5000.4 Ch 1

7

2 Oct 98

MARINE CORPS BASES JAPAN ORDER 5000.4 Ch 1

From: Commander, Marine Corps Bases, Japan
Commanding General, III Marine Expeditionary Force
To: Distribution List

Subj: U.S. MARINE CORPS FORCES JAPAN POLICY ON PREGNANCY AND
PARENTHOOD

1. Purpose. To transmit a new page insert and direct pen changes to the basic Order.

2. Action

a. Remove the letterhead page and replace it with the corresponding page contained in enclosure (5).

b. Change the SSIC line throughout the Order to read "MARCORBASESJAPANO 5000.4" vice "MARCORFORJAPANO 5000.4".

L. E. CONATSER
Deputy Chief of Staff

DISTRIBUTION: III MEF LISTS I/II
MCBJ LIST III

Encl (5)



UNITED STATES MARINE CORPS

MARINE CORPS BASES, JAPAN
CAMP SMEDLEY D. BUTLER, OKINAWA
UNIT 35001

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III MARINE EXPEDITIONARY FORCE, FMF

UNIT 35901

FPO AP 96608-4601

~~MARCORBASESJAPANO 5000.4~~

7

12 Mar 96

MARINE CORPS BASES JAPAN ORDER 5000.4

From: Commander, Marine Corps Bases, Japan
Commanding General, III Marine Expeditionary Force
To: Distribution List
Subj: U.S. MARINE CORPS FORCES JAPAN POLICY ON PREGNANCY AND PARENTHOOD
Ref: (a) MARCORBASESJAPANO 7220. 3A
(b) SECNAVINST 1000.10
(c) MCO P1900.162
(d) OPNAVINST 3710.7P
(e) MCO 1740.13A
(f) MCO P1080.40
(g) MCO P1300.8R
(h) MCO 5000.12D
(i) MCO 1001.4SF
(j) ForO 1030.1K
(k) MCO P1020.34F
(l) OPNAVINST 6000.1A

Encl: (1) Format for Notification of Commanding Officer

1. Purpose. To promulgate policy and procedures concerning the retention, assignment, and separation of pregnant Marines and the requirement to support all Marines making decisions which balance both their commitment to the Marine Corps and their parental responsibilities.

2. Background

a. Pregnancy is a natural event that can occur in the lives of Marines, and is not a presumption of medical incapacity. Pregnancy and parenthood are compatible with a military career. However, there are responsibilities that come with parenthood, and for those in uniform, these responsibilities require even more careful consideration and planning due to military commitments. Marines are expected to balance the demands of a service career with their family responsibilities.

b. Pregnancy could affect a command's operational readiness by temporarily limiting a Marine's ability and availability to perform all assigned tasks. Therefore, pregnancy requires specific policy and procedures to ensure the health and welfare, appropriate

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counseling, and administrative support of pregnant Marines. All Marines will be educated on family responsibilities and afforded ample opportunity to explore the broad range of medical, legal, financial, and emotional obligations parenthood entails. References (a) through (k), as amplified in this order, provide information and guidance on various situations which may impact pregnant Marines and military parents. Reference (l) provides information and direction on managing pregnant U. S. Navy personnel and should be referred to in all cases when questions arise regarding pregnant sailors.

3. Policy

a. The health care needs of pregnant Marines serving with U.S. Marine Corps Forces Japan will be met in a manner to accommodate their welfare and career needs to the greatest extent possible, consistent with the demands of service.

b. A Marine who suspects she is pregnant is responsible for promptly confirming her pregnancy through testing by an appropriate medical provider and informing her commanding officer within five working days of confirmation.

c. A pregnant active duty Marine on an unaccompanied tour may reside in bachelor quarters for her full term. Upon her request, the Commander, Marine Corps Bases, Japan may authorize a pregnant Marine to occupy off-base housing and be paid Basic allowance for Quarters (BAQ), Overseas Housing Allowance (OHA), and Cost of Living Allowance (COLA) (if applicable at the "without dependents" rate) prior to her 20th week of pregnancy. From the 20th week forward, the Commander, Marine Corps Bases, Japan will approve such a request by certifying that adequate quarters are not available for assignment to the Marine. Reference (a) provides details regarding entitlement to BAQ, OHA and COLA based on whether a Marine is on an accompanied or an unaccompanied tour. All approvals for allowances will be filed on the document side of the Marine's SRB/OQR.

(1) Marines on accompanied tours will normally be entitled to BAQ at the "with dependents" rate, OHA at the "with dependents" rate, and COLA at the "with dependents" rate.

(2) Marines on unaccompanied (dependents restricted) tours who have no other dependents will normally be entitled to BAQ at the "own right" rate, OHA at the "without dependents" rate, and COLA at the "without dependents" rate.

(3) Marines whose spouse is a member of the U. S. Armed Forces will be entitled to BAQ, OHA and COLA at varying rates depending on the type of tour they are on and other factors.

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Reference (a) presents various rules regarding entitlements of members married to other active duty service personnel.

d. Per reference (b), active duty Marines assigned to imminently deploying units or positions (defined as scheduled to deploy within 3 months) will be given priority over other active duty personnel receiving routine OB/GYN care in all DON medical facilities.

e. Medical limitations and/or assignment restrictions, or periods of absence because of pregnancy or associated medical care, will not be the basis for lower proficiency and conduct marks, lower marks or adverse fitness reports.

f. A pregnant Marine may request separation from active duty or the Selected Marine Corps Reserve (SMCR) per reference (c). Requests will not normally be approved unless the Marine demonstrates extenuating circumstance, or it is otherwise considered to be in the best interests of the Marine Corps.

g. Marines may not be involuntarily separated on the basis of pregnancy or on predication of future performance after the birth of a child. However, pregnancy does not bar processing for separation for other reasons under the appropriate paragraph of reference (c). For example, a pregnant Marine who is being processed for separation based on misconduct or commission of a serious offense may still be separated on the latter basis.

h. Marines will be afforded the opportunity to take advantage of available legal assistance for advice regarding their options in establishing paternity or seeking child support.

i. Pregnant Marines will not participate in contingency operations nor will they deploy for operations aboard naval vessels. Pregnant Marines may participate in local disaster relief operations, but only to the extent that they are medically authorized, and only for as long as medical officials deem it prudent.

j. Flight personnel are grounded during pregnancy per reference (d) unless a medical clearance to continue flight status is granted by the CMC (ASM). Per reference (d), waivers may be granted under certain circumstances.

4. Education of Marines

a. The decisions surrounding parenthood and family matters can best be made in an environment of concerned leadership.

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Military responsibilities require command attention to help Marines fulfill their sense of duty to their units and also meet family responsibilities.

b. Information concerning the many issues, demands, and responsibilities of pregnancy and parenthood will be made readily available and widely disseminated via Family Service Centers, medical treatment facilities, chapel programs, legal assistance offices, and child development programs.

c. Staff at the FSC and chaplains are available to provide counseling in preparation for pregnancy and parenthood, as well as ongoing support and counseling for families to help them meet the requirements of the workplace and home. Services such as the New Parent Support Program, marriage preparation workshops, and personal financial management classes are available. Participation in these and similar programs should be highly encouraged for all Marines facing these challenges.

d. A Marine, Active Component or Reserve, who becomes a single parent or who is part of a dual military couple and becomes a parent, must complete a Family Care Plan per reference (e).

5. Reporting Requirements

a. A Marine whose pregnancy is confirmed will be reported into the Marine Corps Total Force System (MCTFS) per reference (f). Duty limitations for a pregnant Marine will be reported as DU LIMIT PREGNANCY (limitation code "N") for the period of pregnancy, and DU LIMIT MEDICALLY NONDEPLOYABLE (limitation code "D") for the convalescent period following pregnancy. Medical certification will be the source document for all diary entries related to pregnancy.

b. A Marine joined to a Status of Resources and Training System (SORTS) reporting unit and whose pregnancy is confirmed will be reported into SORTS as nondeployable per reference (g). She will remain in a full duty status until a medical officer certifies that full duty is medically inadvisable.

6. Notification Procedures. All pregnant Marines will notify their commanding officer in writing within five working days of medical certification of pregnancy. The notification will be formatted per the enclosure and include:

a. A medical certificate of pregnancy, to include the estimated date of delivery and a determination as to whether any medical reasons exist which make remaining in a full-duty status or in the Marine Corps Reserve inadvisable.

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b. A statement acknowledging the requirement to make arrangements for child care during regular working hours, duty, exercises, war or combat contingency deployment, etc. Single Marines and dual service couples who have dependents must develop a Family Care Plan per reference (e).

c. A statement by a Marine in the Active Component, Active Reserve (AR), or a Reserve Marine serving on EAD that she understands she remains otherwise eligible for reenlistment and will serve on active duty until the expiration of her active service obligation.

d. A statement that she understands she may request separation and remain eligible for maternity care until the birth of the child per reference (c). If she feels that extenuating circumstances exist which preclude further service, the notification should include a request for separation but may be submitted after the initial notification.

e. A statement that she understands that she is available for worldwide assignment and that there is no guarantee of special consideration in duty assignments or duty stations based solely on her pregnancy or the fact that she will have a dependent.

f. A statement that she is aware of the limitations of eligibility for dependent housing and shipment of household goods (applies to Active Component, AR, and Reserve Marines serving on EAD as E-4's and below only).

g. A statement that she will advise the command of any unexpected changes in her medical status and will return to full duty as soon as medically authorized.

h. A statement that she understands that she must be prepared to pass the Marine Corps Physical Fitness Test (PFT) and conform to acceptable weight standards no later than 6 months following return to full duty by a medical officer. Include a statement that she will commence physical training as soon as medically authorized.

i. A copy of the notification letter will be retained in the pregnant Marine's SRB/OQR until after the birth of her child.

7. Assignment/Deployability Limitations of Pregnant Marines

a. Pregnant Marines serving overseas may be detached at their normal rotation tour date (RTD), even when that date occurs after the 6th month of pregnancy, if medical certification authorizing travel is obtained. Where apparent that the overseas tour of a

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pregnant Marine will be involuntarily extended because of her condition (e.g., delivery date approximates RTD), the CMC (MMEA/MMOA as appropriate) may authorize early termination of her tour. The CMC (MMEA/MMOA) will not approve early termination of an overseas restricted tour because of pregnancy where the Marine has completed less than 9 months of her tour unless directed by competent medical authority.

b. A Marine on an unaccompanied tour overseas, at a location which does not have adequate medical facilities or dependent housing, whose pregnancy is discovered once overseas or becomes pregnant during her tour, will be reassigned per reference (g) as soon as possible to another location which can provide adequate medical facilities and dependent housing. The new location may be another overseas location in order to receive credit for an overseas tour. A Marine has no actual entitlement to dependent housing until she actually has a dependent and only then if the CMC (MM) converts it to an accompanied tour per reference (g).

c. A Marine assigned to a deployed Marine unit who is confirmed as being pregnant during deployment aboard ship will, at first opportunity, be sent Temporary Additional Duty to the closest U.S. military facility that can provide OB/GYN care and returned to her unit's home base at the earliest opportunity via a medically authorized mode of transportation.

d. Pregnant Marines may deploy, in conjunction with advice from their medical care provider, when the mode of transportation does not involve transport aboard naval vessels and the deployment is other than a contingency operation.

e. Pregnant Marines may not board or embark upon naval vessels, even when the naval vessel is tied to a pier, after the Marine's 20th week of pregnancy.

f. Per reference (d) pregnant flight personnel shall consult with their flight surgeon when they first suspect they are pregnant. Flight personnel are grounded during pregnancy unless a medical clearance to continue flight status is granted by the CMC (ASM).

(1) Requests for flight or training waivers shall be originated by the pregnant Marine and forwarded to the CMC (ASM) per reference (h).

(2) Pregnancy of an air traffic controller is not considered physically disqualifying in itself. Duty modifications during pregnancy are expected and should be managed locally to accommodate local circumstances and the individual Marine's medical requirements.

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8. Separation of Pregnant Marines

a. Upon medical certification of pregnancy, a Marine may request separation by submitting an Administrative Action Form to the appropriate separation authority as defined by reference (c). A request for separation will normally be denied unless there are extenuating circumstances which the Marine can substantiate by demonstrating overriding or compelling factors of personal need or that extraordinary circumstances of a humanitarian nature exist. The following guidance applies:

(1) A Marine may not be separated on the basis of pregnancy alone nor on the predication of future performance after the birth of a child. References (c) and (e) provide for separations for the Convenience of the Government by reason of Parenthood or by reason of Dependency or Hardship should a Marine become unable to fulfill military obligations or become nonavailable for worldwide assignment.

(2) A pregnant Marine may be separated on the basis of pregnancy if a medical officer certifies that continuation on active duty jeopardizes the mental/physical health of the Marine or the healthy development of the unborn child. In other words, conditions have arisen, or have been aggravated to an excessive degree since entry into the Marine Corps, and separation will eliminate or materially alleviate the threat to the health and welfare of the Marine or unborn child. A Marine may be separated if there are no other means of alleviation reasonably available.

(3) Separation will not be authorized solely for personal convenience.

b. Requests for separation by reason of pregnancy will include a medical officer's certification of pregnancy. An Active Component, AR, or Reserve Marine on EAD will provide a statement of understanding that the Marine acknowledges that she remains eligible for maternity care following her release from active duty/discharge only per reference (c).

c. Any such separation for pregnancy must be effected no later than 4 weeks prior to the estimated date of delivery; however, an earlier separation date may be requested. All such requests must include specific justification for separation, per reference (c).

d. Commanding officers will forward the Marine's request for separation to the separating authority with a recommendation for separation or retention on active duty.

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e. An officer's request for resignation/release from active duty will comply with references (c) and (i).

f. To prevent the loss of potential mobilization assets, the separation authority will screen Marines being separated for pregnancy for transfer to the IRR vice discharge per reference (c).

9. Action. Commanding Officers:

a. Will provide appropriate training as part of their units' orientation and annual troop information programs to ensure that Marines are aware of the contents of reference (h) and the broad range of medical, legal, financial, chaplain, and other services available to assist and encourage all Marines in making family life decisions that are supportive of both service obligations and their parental responsibilities.

b. Will thoroughly counsel each pregnant Marine on the contents of reference (h). A Marine who will become a single parent and Marines who are members of a dual military couple residing in a joint household will also be counseled regarding the availability of government housing.

c. Will ensure that appropriate unit diary and SORTS entries are run per reference (f).

d. May deploy pregnant Marines, in conjunction with advice from the medical officer, per paragraph 9 of reference (h). These determinations will be made on a case-by-case basis and will be dependent on the unit's mission, the Marine's billet, available medical support, and medical authorization.

e. Will ensure that a pregnant Marine is not required to perform duties, including PT, firing at the rifle or pistol range, or standing in formations; that in the opinion of the medical officer are hazardous to her or her unborn child. Pregnant Marines who are awarded confinement as the result of a court-martial sentence, or who the Commanding Officer desires to place in pretrial confinement, may be confined only upon certification by a medical officer that the confinement will not be detrimental to the health or welfare of the Marine or her unborn child.

f. Will ensure that a Marine returns to a normal duty assignment commensurate with her grade, Military Occupational Specialty, and the unit's requirements as soon after delivery as the medical officer certifies the Marine to be medically qualified for full duty. This will normally occur directly after the 6 weeks medical convalescence leave following the birth. A Marine needing

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additional personal time after being medically certified fit for duty may be granted annual leave.

g. May authorize up to 30 days permissive TAD for a married male Marine when his spouse gives birth dependent on the unit's mission, specific operational circumstances, and the Marine's billet. This authorization commences the day of the child's birth and extends through the next 45 days. If appropriate medical facilities are not available for delivery, then permissive TAD up to 30 days may be authorized for the male Marine to accompany his spouse prior to and immediately following delivery.

(1) This permissive TAD is neither an entitlement nor a right. In general, permissive TAD may be granted in the same circumstances under which a commander would normally grant annual leave. If a commander would not normally grant a Marine annual leave, due to operational considerations, deployments or mission requirements, then the commander would not normally grant a Marine permissive TAD. Likewise, if a commander would normally grant a Marine no more than 15 consecutive days of annual leave, then the commander would not normally grant a Marine more than 15 days permissive TAD under this paragraph.

(2) Reference (j) provides guidance concerning the duration of any leave period for accompanied or unaccompanied personnel in the WESTPAC. Permissive TAD granted to personnel in the WESTPAC under this paragraph may never exceed 30 days, including travel time. To facilitate AMC travel, permissive TAD may be taken in conjunction with annual (EML) leave. The total number of days a Marine will be absent from his duty station may not exceed 30 days if a commander grants annual leave in conjunction with permissive TAD.

h. May authorize up to 30 days permissive TAD for any Marine adopting a child, or one or both parents of a dual military couple, dependent on the unit's mission, specific operational circumstances, and the Marine's(s) billet(s). Permissive TAD period should commence when the child is ready for placement to assist the parent(s) in relocating the adoptive child, formalizing legal requirements, establishing a child care program, and other tasks as required.

i. May authorize a Marine to wear the maternity uniform for up to 30 days following her return to duty. Reference (k) prescribes regulations regarding the procurement and wearing of the maternity uniform. May authorize a Marine to wear the utility uniform in lieu of the maternity uniform during early pregnancy and after return to duty when the uniform of the day is normally service "C," "B," or Blue Dress "D."

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j. Will require that a Marine be able to take the PFT and conform to acceptable weight standards no later than 6 months after being returned to full duty by the medical officer. Additional time may be granted if necessary and recommended by the medical officer due to unique medical circumstances. A Marine should be encouraged to commence PT as soon as medically authorized.

k. Will ensure that a Marine whose pregnancy terminates prematurely or results in a stillbirth, or whose unborn child is voluntarily or involuntarily aborted, receives a medical officer's certification that she is fit for full duty. A command climate of concerned leadership will be essential in helping Marines impacted by these type of traumatic events. The unique circumstances of each pregnancy dictate that the decision on when a particular Marine is physically qualified to take the PFT and may be reasonably expected to conform to weight standards will be made on a case-by-case basis by a medical officer's determination.


l. Will ensure that Marines are afforded the opportunity to take advantage of available legal assistance for advice regarding their options in establishing paternity or child support.

m. Are encouraged to work closely with commanders of DON medical facilities to encourage priority treatment for pregnant dependent spouses of imminently deploying male Marines among other pregnant dependent spouses receiving routine OB/GYN care.



R. H. STIVERS

Deputy Chief of Staff
Marine Corps Bases, Japan



J. L. BRENNAN

Chief of Staff
III Marine Expeditionary Force

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2 Oct 98

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L. E. CONATSER
Deputy Chief of Staff

DISTRIBUTION: III MEF LISTS I/II
MCEJ LIST III

MARFORJAPANO 5000.4
12 MAR 1986

FORMAT FOR NOTIFICATION OF COMMANDING OFFICER

5000.4
date

From: Marine's Grade, Full Name, SSN/PMOS, USMC
To: Commanding Officer

Subj: NOTIFICATION OF CONFIRMATION OF PREGNANCY

Ref: (a) MCO 5000.12D
(b) MCO 1740.13A
(c) MCO P1900.16D
(d) MARFORJAPO 5000.4

Encl: (1) Medical Certification of Pregnancy
(2) Separation Request (only if applicable)

1. I have been fully counseled and understand the contents of reference (a) and provide the following information:

a. This is to notify the command of my pregnancy. A medical certificate of pregnancy is provided as enclosure (1) and includes the estimated date of delivery and whether any medical reasons exist which make remaining in a full duty status inadvisable.

b. I understand that I am responsible for making arrangements for child care during regular working hours, duty, exercises, war or combat contingency deployment, etc., and will develop a Family Care Plan per reference (b). (Applies to Active Component, AR, and Reserve Marines serving EAD only.)

c. I understand that I remain otherwise eligible for reenlistment and will serve on active duty until the expiration of my active service obligation. (Applies to Active Component, AR, and Reserve Marines serving EAD only.)

d. I understand that I may request separation and remain eligible for maternity care until the birth of my child per reference (c). (Select only one of the following two sentences.) If I feel that extenuating circumstances exist which preclude my further service, I understand that I must request for separation per paragraph 10 of reference (a). Since I feel that extenuating circumstances exist which preclude my further service, enclosure (2) is my request for separation per paragraph 10 of reference (a).

e. I understand that I remain available for worldwide assignment and that there is no guarantee of special consideration

ENCLOSURE (1)

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in duty assignments or duty stations based solely on my pregnancy or the fact that I will have a dependent, except as provided for in reference (a).

f. I am aware of the limitations of eligibility for dependent housing and shipment of household goods (applies to Active Component, AR, and Reserve Marines serving on EAD as E-4's and below).

2. I will advise the command of any unexpected changes in my medical status and will return to full duty as soon as medically authorized.

3. I understand that I must be prepared to pass the Marine Corps Physical Fitness Test and conform to the acceptable weight standards no later than 6 months following my return to full duty. I will commence physical training as soon as medically authorized.

4. I have read and understand the contents of reference (d).

(Signature)

ENCLOSURE (1)